

United States Courts
Southern District of Texas
FILED

February 01, 2024

Nathan Ochsner, Clerk of Court

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

February 1, 2024

Lyle W. Cayce
Clerk

No. 23-20163

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

BRIAN SWIENCINSKI,

Defendant—Appellant,

CONSOLIDATED WITH

No. 23-20326

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

SCOTT BREIMEISTER,

Defendant—Appellant.

No. 23-20163
c/w No. 23-20326

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:18-CR-368-1
USDC No. 4:18-CR-368-2

UNPUBLISHED ORDER

Before CLEMENT, ENGELHARDT, and RAMIREZ, *Circuit Judges*.

PER CURIAM:

IT IS ORDERED that the unopposed motion of Appellant Brian Swiencinski to expedite ruling on the pending motions is GRANTED.

IT IS FURTHER ORDERED that the unopposed motion of Appellant Brian Swiencinski to sever Case No. 23-20163 from No. 23-20326 is GRANTED.

IT IS FURTHER ORDERED that the unopposed motion of Appellant Brian Swiencinski to stay further proceedings in this court in Case No. 23-20163 is GRANTED.

IT IS FURTHER ORDERED that Case No. 23-20163 is REMANDED to the district court for the limited purpose of permitting Swiencinski to enter a plea of guilty to a superseding information on February 2, 2024.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

February 01, 2024

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-20163 cons. w/ 23-20326
USA v. Swiencinski
USDC No. 4:18-CR-368-1
USDC No. 4:18-CR-368-2

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

Christina Rachal

By: _____
Christina C. Rachal, Deputy Clerk
504-310-7651

Ms. Samantha Bateman
Mr. Brandon Nelson McCarthy
Ms. Carmen Castillo Mitchell
Mr. Nathan Ochsner
Ms. Rachel Malone Riley
Mr. Jeremy Raymond Sanders
Mr. Josh Barrett Schaffer
Mr. Robert Thomas Smith
Mr. Michael A. Villa Jr.